

## UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

FILED IN OPEN COURT  
ON 12/17/2009  
Dennis P. Leverage, Clerk  
U.S. District Court  
Eastern District of NC

United States of America )

v. )

RODERICK BLACK )

Case No: 2:94-CR-15-9BO

USM No: 28287-056

Date of Previous Judgment: December 8, 1994 )

(Use Date of Last Amended Judgment if Applicable) )

Defendant's Attorney Thomas P. McNamara

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of the \_\_\_\_\_ defendant \_\_\_\_\_ under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and the court having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_ months.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain): \_\_\_\_\_

**III. ADDITIONAL COMMENTS**


The amount of crack cocaine involved is 4,500 grams or greater.

Except as provided above, all provisions of the judgment dated \_\_\_\_\_ shall remain in effect.

**IT IS SO ORDERED.**

Order Date: \_\_\_\_\_

12-17-09



Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Terrence W. Boyle/U.S. District Judge  
Printed name and title